

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF APRIL 14, 2006

(Published April 22, 2006, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

April 14, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 4/14/06.

Lilligren moved acceptance of the minutes of the regular meeting and adjourned session held March 31, 2006. Seconded.

Adopted upon a voice vote 4/14/06.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 4/14/06.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271094)

2006 Consolidated Plan application approval.

Land Sales:

1300 & 1316 N 2nd St & 109 - 14th Ave N;

3601 Lyndale Ave N;

3250 6th St N;

3250 Lyndale Ave N;

3943 6th St N;

3504 Longfellow Ave S.

Riverfront East Parcel: Granting of exclusive rights to William W & Nadine M McGuire Family Foundation for 120 days to negotiate terms of land lease.

Home Ownership Works Program Guidelines.

Little Earth Phase IV Project (2501 Cedar Ave S): Approval of Affordable Housing Trust Fund loan for project by Little Earth of United Tribes Housing Corp.

Powerderhorn Residents Group (re Emerson Townhomes, 914 & 1000 Emerson Ave N): Approval of federal HOME Community Housing Development Organization funds.

Bassett Creek Valley Area: Authorize receipt of grant funds from Legislative Commission on Minnesota Resources.

MAYOR (271095)

Family Housing Fund: Reappointment of Gloria Perez Jordan.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271097)

2006 Hennepin County Transit Oriented Development grant applications for projects in the City of Mpls; Priority rankings.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271098)

Mpls-St Paul Housing Finance Board: Transfer of City mortgage revenue bond revenues to a Trustee account.

Home Improvement Loan & Grant Programs: Appropriation increase of \$1 million to cover additional 78 loans & grants.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (271096)

Northeast Park NRP Phase II Neighborhood Action Plan.

HEALTH AND HUMAN SERVICES:

HOSPITALITY INDUSTRY (271099)

Smoking Ban: Comments regarding sales tax analysis study.

MINNEAPOLIS TREE ADVISORY COMMISSION (271100)

2006 Annual Report.

HEALTH AND HUMAN SERVICES (See Rep):

REGULATORY SERVICES (271101)

Citizens Environmental Advisory Committee: Approve City Council and Mayor appointments, for terms to expire December 31, 2006.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

REGULATORY SERVICES (271102)

Healthy Homes Demonstration Grant: Submit grant to United States Department of Housing and Urban Development seeking up to \$1 million to provide environmental assessments for asthmatic children, remediation of hazards, education on home environment and associated services in the homes of children diagnosed with Asthma.

Environmental Health Services: Issue Request for Proposals to establish a list of providers for Regulatory Services.

INTERGOVERNMENTAL RELATIONS:

INTERGOVERNMENTAL RELATIONS (271103)

State/Federal Update.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATIONS (271104)

Supplemental public safety appropriations.

PUBLIC SAFETY AND REGULATORY SERVICES:

ATTORNEY (271105)

Grocery Stores: Memo regarding Statutes and Ordinances regarding Public Nuisance Abatement.

INSPECTIONS DEPARTMENT (271106)

Problem Properties Unit: Report.

REGULATORY SERVICES (271107)

Smoking Ban: Annual Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (271108)

Chapter 249 Property at 2535 15th Av S: Approve demolition.

LICENSES AND CONSUMER SERVICES (271109)

4 You Food Market (2326 Lyndale Av N): Refer to Administrative Law Judge recommendation to revoke Grocery, Food Manufacturing and Tobacco Dealer Licenses.

LICENSES AND CONSUMER SERVICES (271110)

Dominguez Family Restaurant (3313 E 50th St): Grant On-Sale Wine Class E with Strong Beer License, subject to conditions.

Licenses: Applications.

STATE COURT OF APPEALS (271111)

Chapter 249 Property at 2822 15th Av S: Deny request to stay City Council decision to demolish property.

UNITE HERE (271112)

Little Wagon: Comments regarding application for On-Sale Liquor Class B with Sunday Sales License (change in owner).

PUBLIC SAFETY AND REGULATORY SERVICES and TRANSPORTATION & PUBLIC WORKS (See Rep):

PUBLIC WORKS/REGULATORY SERVICES (271113)

Sidewalk Cafe Standards: Adopt Revised Sidewalk Cafe Standards and new Outdoor Smoking Area Standards.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (271114)

Fire Department Donation: Accept donation of \$2,500 from City of Pine Island to replace a borrowed Hovercraft Trailer; and Approve appropriation.

POLICE DEPARTMENT (271115)

MnPass I-394 High Occupancy Toll: Execute Joint Powers Agreement with Minnesota Department of Public Safety, Commissioner of Transportation, to receive up to \$35,000 for Minneapolis law enforcement services to enforce toll lane rules and regulations; and Approve appropriation.

Police Specialty Training Programs: Accept training registration fees from individual and outside agency attendees of Police sponsored training programs, and Deposit fees in Police Department Training Fund.

RULES (See Rep):

ATTORNEY (271116)

Amend Rule 12: Include "Announcements" as 11th Order of Business.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271117)

Proposed Amendment to Title 17, Chapter 455 of Code regarding Block Events: Set public hearing for April 18, 2006.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271118)

Control Assemblies Contract: Amend contract for installation of System Control and Data Acquisition (SCADA) at Fridley Filtration Plant.

Central Library Grand Opening 5/2/06: Approve large block event to operate outside timeframe allowed by ordinance.

Minneapolis Institute of Arts Grand Opening Festival June 10 & 11, 2006: Approve large block event to operate outside timeframe allowed by ordinance.

Indemnification Agreement: Agreement holding City of Fridley harmless from claims resulting from deer herd reduction.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (271119)

Lyndale Av N Reconstruction Project 2942: Resolutions a) ordering work to proceed and adopting special assessments; and b) requesting Board of Estimate and Taxation to issue and sell assessment bonds; Comments.

Cooperative Construction Agreement: Execute agreement with Metropolitan Council and increase appropriation.

Advertising in Parking Ramps: Approve CityLitesUSA as vendor and execute contract for services.

Riverfront (Guthrie) Municipal Ramp: Approve change orders with ramp design builder Guthrie Theater Foundation.

E Lake St Force Account Agreement: Authorize agreement with MnDOT and execute Amendment No. 2 to Agreement.

MnDOT Lease Agreement: Amendment No. 4 to lease for use of state-owned property under I-94 bridge at 198 Aldrich Av N.

Amended Agreement for Grant Funds: Amended contract accepting additional \$866,000 from the Environmental Protection Agency (EPA) for Combined Sewer Overflow (CSO) Project; approve appropriations.

PUBLIC WORKS AND ENGINEERING (271120)

Sale of City-owned Parking Facilities: Adopt Sale Criteria, Financial Conditions, and Use of Proceeds; Authorize issuance of RFP.

Bids: Accept a) OP 6574, low bids of Midwest Asphalt Corporation, Commercial Asphalt Company, and bituminous Roadways, Inc. for delivery of bituminous mixtures; b) OP 6577, low bid of Belair Excavating, for the safe disposal of asbestos-containing electrical conduit as needed through December 31, 2007; c) OP 6581, low responsive bid of Five Star H. Enterprises, Inc., to provide janitorial service at the Public Service Center through April 30, 2007; Comments; d) OP 6582, low bid of Fitol-Hintz Construction, Inc., to construct the Urban Village Public Promenade; e) OP 6585, low responsive bids of Crane Carrier Corporation and ABM Equipment & Supply for refuse low entry cab and chassis and packer bodies; f) OP 6586, bid of J.W.M. Environmental, Inc., for polyester resin material and felt liner to Public Works Sewer Division; and g) OP 6589, low bids of Standard Sidewalk, Inc. and Create Construction, LLC for the construction of sidewalks, alleys, driveways, curbs, and gutters, as needed through December 31, 2006.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (271121)

Legal Settlement: Robin Goodwin v. City of Minneapolis.

BUSINESS INFORMATION SERVICES (BIS) (271122)

Unisys Contract: Amendment increasing Contract C-18881 to allow increased storage and better utilization of storage space.

COMMUNICATIONS (271123)

Utility Bill Insert: May 2006 insert providing information announcing the 2006 Minneapolis Mosaic Celebrating Diversity program and kick-off event.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271124)

Real Estate Assistant, Real Estate Development Services: Hire Anne M. Engel at Step 8.

Senior Project Coordinator, Multifamily Housing: Hire Kevin Walker at Step 5.

CONVENTION CENTER (271125)

In-House Security: Authorize amendment to Securitas Security Services Contract C-19903 to provide in-house security services at the Minneapolis Convention Center; extending contract period.

Metrodome Parking: Authorize amendment to Metropolitan Sports Facilities Commission Contract C-015132 to provide event parking at the Hubert H. Humphrey Metrodome Stadium parking lot; extending contract period.

TCF Cash Machines: Authorize amendment to TCF National Bank Contract C-19948 for leasing space at the Convention Center, increasing the number of ATMs from two to five.

COORDINATOR (271126)

New Central Library Project - Change Orders: Approve Change Order No. 14 increasing Contract Number C-20481 with PCL Construction Services, Inc. (\$288,243); and Change Order No. 6 increasing Contract Number C-20133 with HKL Cladding Systems, Inc. (\$37,624).

HUMAN RESOURCES (271127)

City of Minneapolis Medical Plan Marketing and Benefit Consulting Services: Authorize issuance for RFP for Broker Services; Authorize contract negotiations with selected vendor.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (271128)

Appeals:

Carol Megarry (re Grand Ave Townhomes, 3535 and 3539 Grand Ave S): applications by Drecktrah Real Estate LLC for conditional use permit, variances and site plan review.

Carol Megarry (re Grand Ave Townhomes, 3539 and 3543 Grand Ave S): applications by Drecktrah Real Estate LLC for conditional use permit, variances and site plan review.

Rezoning:

Edward Boler (226 33rd St W);

Shamrock Development (The Bridgewater, 1000, 1010 and 1026 Washington Ave S, 200 and 212 11th Ave S);

Drecktrah Real Estate (re Grand Avenue Townhomes, 3543 Grand Ave S);

Sherman Associates (2316, 2320, 2322, 2324, 2328 and 2338 Central Ave NE, 910 and 916 24th Ave NE and a portion of the property located at 2323 Jackson St NE);

Sherman Associates (910 24th Ave NE and a portion 2323 Jackson St NE).

Vacation:

Sherman Associates (2316, 2320, 2322, 2324, 2328 and 2338 Central Ave NE, 910 and 916 24th Ave NE and a portion of the property located at 2323 Jackson St NE): public alley for a mixed-use development.

FILED:

CITY CLERK (271128.1)

Time Warner Cable to Comcast Cable Communications Franchise Transfer: Verbatim Transcripts from Ways & Means/Budget Committee meetings of November 28, 2005 and December 19, 2005; Committee of the Whole Meetings of December 1, 2005 and December 22, 2005; and City Council Meetings of December 2, 2005 and December 23, 2005.

HUMAN RESOURCES (271129)

Assistant Chief of Fire: Delegate the duties and responsibilities of Fire Chief to Assistant Chief of Fire, James S. Clack, during the leave of absence of the Fire Chief.

PARK BOARD (271130)

Minneapolis Park & Recreation Bd, Superintendent's Report 2005.

GREENWAY URBAN HOUSING, LLC (271131)

Vacate alley, vic of 28th St S, Bloomington & 16th Aves S

COMMON BOND COMMUNITIES (271132)

Vacation of right-of-way, 50' easement of vacated 46th Ave N dedicated in Blocks 3 and 4, Gillespies' Camden Oaks Addition, see Exhibits. For Lot 1, Block 1, Kingsley Commons, at Humboldt Ave N.

The following reports were signed by Mayor Rybak on April 20, 2006, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the City's application to the U.S. Department of Housing and Urban Development (HUD) for 2006 Community Development Block Grant, Home Investment Partnerships, Emergency Shelter Grant (ESG), Housing Opportunities for Persons with AIDS and American Dream Downpayment Initiative funding, along with updates for the 2005-2009 five-year strategy on how the City intends to use HUD funding to meet the needs of City residents at or below 80 percent of median income, now recommends that the proper City officers be authorized to submit the 2006 Consolidated Plan to HUD.

Further, that staff be directed to delete references to providing ESG funds in a manner consistent with the essential services provision of that program.

Adopted 4/14/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 1300 N 2nd St, 1316 N 2nd St and 109 – 14th Ave N to Landmark Minnesota, LLC, an affiliate of Master Civil & Constructing Engineering, Inc, dba Master Development Group, for the fair re-use value of \$365,365 (or \$5 per square foot).

Further, that the proper City officers be authorized to execute a redevelopment contract and land sale documents consistent with the Term Sheet contained in the report of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-183, authorizing sale of land North Washington Industrial Park Disposition Parcels No NWIP 44-3, 44-2, & 39-6 & 7 (1300 – 2nd St N; 1316 – 2nd St N and 109 – 14th Ave N), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-183

By Goodman

Authorizing sale of land North Washington Industrial Park Disposition Parcels No NWIP 44-3, 44-2, & 39-6 & 7 (1300 – 2nd St N; 1316 – 2nd St N and 109 – 14th Ave N).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels NWIP 44-3, 44-2, & 39-6 & 7, in the Near North neighborhood, from Landmark Minnesota, LLC, an affiliate of Master Civil & Construction Engineering, Inc. d/b/a Master

Development Group, hereinafter known as the Redeveloper, the Parcels NWIP 44-3, 44-2, & 39-6 & 7, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

NWIP 44-3; 1300 - 2nd Street North - \$136,125 (or \$5 per sq ft): Lots 10 to 12 inclusive, Block 15, Bassett, Moore and Case's Addition to the Town of Minneapolis, according to the recorded plat thereof, and situate in Hennepin County, Minnesota;

NWIP 44-3; 1316 - 2nd Street North - \$90,750 (or \$5 per sq ft): Lots 8 and 9, Block 15, Bassett, Moore and Case's Addition to the Town of Minneapolis. Being registered land as is evidenced by Certificate of Title No. 1142763;

NWIP 36-6 & 7; 109 - 14th Avenue North - \$138,490 (or \$5 per sq ft): That part of Lots 1 thru 6, Block 15, Bassett, Moore and Case's Addition to the Town of Minneapolis, which lies Westerly and Northwesterly of the following described line: Commencing at the Southwest corner of Lot 1; thence North 89 degrees 08 minutes 18 seconds East (astronomic bearing based on solar observation), along the South line of said Lot 1, a distance of 57.80 feet to the point of beginning of the line to be described; thence North 06 degrees 55 minutes 08 seconds East a distance of 147.12 feet; thence North 10 degrees 29 minutes 20 seconds East a distance of 188.62 feet to a point on the North line of said Lot 6 which bears North 89 degrees 05 minutes 01 seconds East a distance of 115.04 feet from the Northwest corner thereof, and there terminating; and

Whereas, the Redeveloper has offered to pay the sum of \$365,365 (or \$5 per sq. ft.), for Parcels NWIP 44-3, 44-2, & 39-6 & 7 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the North Washington Industrial Park plan, as amended, is hereby estimated to be the sum of \$365,365 (or \$5 per sq. ft.) for Parcels NWIP 44-3, 44-2, & 39-6 & 7.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcels in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3601 Lyndale Ave N to Nyberg Builders, Inc for \$22,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-184, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. McK 10-16 & 17B (3601 Lyndale Ave N), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-184
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. McK 10-16 & 17B (3601 Lyndale Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel McK 10-16 & 17B, in the McKinley neighborhood, from Nyberg Builders, Inc., hereinafter known as the Redeveloper, the Parcel McK 10-16 & 17B, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of McK 10-16 & 17B; 3601 Lyndale Avenue North: Lot 15 and that part of Lot 14, lying South of the North 20 feet thereof, Block 16, Walton Park; and

Whereas, the Redeveloper has offered to pay the sum of \$22,000.00, for Parcel McK 10-16 & 17B to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$22,000.00 for Parcel McK 10-16 & 17B.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3250 – 6th St N to Nyberg Builders, Inc for \$17,900, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-185, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No McK 36-1 (3250 – 6th St N), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-185
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No McK 36-1 (3250 – 6th Street North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel McK 36-1, in the McKinley neighborhood, from Nyberg Builders, Inc., hereinafter known as the Redeveloper, the Parcel McK 36-1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of McK 36-1; 3250 6th Street North: Lot 14, Block 32, except the Southerly 10 feet thereof, Baker's Fourth Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$17,900.00, for Parcel McK 36-1 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$17,900.00 for Parcel McK 36-1.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3250 Lyndale Ave N to Kaythwe Myint for \$22,500, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If Ms. Myint fails to close, authorization is given for sale of said property to Nyberg Builders, Inc for \$22,500, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;
- 2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-186, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. McK 37-2 (3250 Lyndale Ave N), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-186

By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. McK 37-2 (3250 Lyndale Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel McK 37-2, in the McKinley neighborhood, from Kaythwe Myint, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel McK 37-2, from Nyberg Builders, Inc. hereinafter known as the Alternate Redeveloper, the Parcel McK 37-2, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description for McK 37-2; 3250 Lyndale Avenue North: The West 107 feet of Lots 13 and 14, Block 33, Baker's 4th Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$22,500.00, for Parcel McK 37-2 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$22,500.00 for Parcel McK 37-2 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$22,500.00 for Parcel McK 37-2.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that

this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3943 – 6th St N to Nyberg Builders, Inc for \$25,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If Nyberg Builders, Inc fails to close, authorization is given for sale of said property to AA Contracting Inc for \$22,500, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;
- 2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-187, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. HF#4 (3943 – 6th St N), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-187
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. HF#4 (3943 – 6th Street North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel HF#4, in the Webber-Camden neighborhood, from Nyberg Builders, Inc., hereinafter known as the Redeveloper and another offer to purchase and develop Parcel HF#4, from AA Contracting Inc. hereinafter known as the Alternate Redeveloper, the Parcel HF#4, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of HF#4; 3943 - 6th Street North: That part of Lot 5, Block 3, Farnham's Addition to Minneapolis which lies Westerly of a line described as follows: Line 1: Beginning at a point on the North line of Lot 1 said Block 3 distant 105.00 feet East of the Northwest corner thereof; thence run Southeasterly to the Southeast corner of said Lot 5 and there terminating; and

Whereas, the Redeveloper has offered to pay the sum of \$25,000, for Parcel HF#4 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$25,000 for Parcel HF#4 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$25,000 for Parcel HF#4.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev - Your Committee, having under consideration the report of the Department of Community Planning & Economic Development (CPED) relating to the sale of property at 3504 Longfellow Ave S, now recommends passage of the accompanying resolution authorizing sale of said property to Millerville, Inc for \$30,000, in lieu of the staff recommendation to sell said property to AA Contracting, Inc, subject to the following conditions:

a) Land sale closing must occur on or before 30 days from date of approval of variance needed to proceed with this development;

b) Payment of holding costs of \$150 per month from the date of variance approval to the date of closing if land sale closing does not occur on or before 30 days from date of variance approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Resolution 2006R-188, authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-698 (3504 Longfellow Ave S), was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-188
By Goodman

Authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-698 (3504 Longfellow Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-698, in the Corcoran neighborhood, from Millerville, Inc., hereinafter known as the Redeveloper, the Parcel TF-698, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of TF-698; 3504 Longfellow Ave S: The South 30 feet of the North 39 feet of Lot 2, Block 12, Wilburs 2nd Addition to Minneapolis. Being registered land as is evidenced by Certificate of Title No. 1167204;

Whereas, the Redeveloper has offered to pay the sum of \$30,000, for Parcel TF-698 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 24, 2006, a public hearing on the proposed sale was duly held on April 4, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Tax Forfeiture Program plan, as amended, is hereby estimated to be the sum of \$30,000 for Parcel TF-698.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/14/06.

Comm Dev – Your Committee, having under consideration the development request for proposals received by Brighton Development Corporation and Norway House; Hunt Associates and North America Partners; and the William W. and Nadine M. McGuire Family Foundation for the property now known

as the "Riverfront East Parcel," bounded by W River Pkwy, 11th Ave S and 2nd St S and including vacated 10th Ave S, now recommends that the William W. and Nadine M. McGuire Family Foundation be granted exclusive rights for a period of 120 days to negotiate the terms of a land lease for the Riverfront East Parcel in accordance with the terms and conditions outlined in the Department of Community Planning & Economic Development report, for consideration by the City Council at a future meeting after a public hearing.

The William W. and Nadine M. McGuire Family Foundation proposes a privately-funded green space for ten years with the use of the property reverting to the City after the ten years.

Adopted 4/14/06.

Comm Dev – Your Committee recommends confirmation of the Mayor's reappointment of Gloria Perez Jordan to the Family Housing Fund for a three year term, which will expire 2/28/09.

Adopted 4/14/06.

Comm Dev – Your Committee, having under consideration the Home Ownership Works (HOW) Program and the direction to Community Planning & Economic Development Department staff to draft an amendment to the Real Property Disposition Policy to authorize staff to enter into purchase agreements and sale of properties to any buyer meeting the guidelines of the HOW Program once the rehabilitation is completed on a given project, now recommends approval of the HOW Program Guidelines as set forth in Petn No 271094, which provide clarification of priority program buyers; clarification of the process on how buyers are chosen if more than one qualified offer is received; and modification of the process for disposition approval by the City Council.

Adopted 4/14/06.

Comm Dev – Your Committee recommends approval of an Affordable Housing Trust Fund loan of up to \$350,000 for the Little Earth Phase IV project at 2501 Cedar Ave S by Little Earth of United Tribes Housing Corporation, or an affiliated Borrower established for the purpose of holding or owning real estate subject to the City loan, and that the proper City officers be authorized to execute the necessary documents relative to said loan.

Adopted 4/14/06.

Comm Dev – Your Committee recommends approval for the use of up to \$368,451 of federal HOME Community Housing Development Organization funds to Powderhorn Residents Group for the Emerson Townhomes project located in the Heritage Park Redevelopment Project at 914 and 1000 Emerson Ave N, and that the proper City officers be authorized to execute the necessary documents relative to said funds.

Adopted 4/14/06.

Comm Dev – Your Committee recommends that the proper City officers be authorized to accept \$175,000 in grant funds from the Legislative Commission on Minnesota Resources for the Implementation Plan for Channel and Habitat Restoration in the Bassett Creek Valley area (east of Cedar Lake Rd).

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$175,000 to reflect the receipt of said grant funds.

Adopted 4/14/06.

RESOLUTION 2006R-189
By Goodman

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the Other Grants - State & Local Fund (0600-890-8953) by \$175,000 and increasing the revenue source (0600-890-8490-3215) by \$175,000.

Adopted 4/14/06.

The **COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

Comm Dev & T&PW – Your Committee, having under consideration the list of applications for 2006 Hennepin County Transit Oriented Development program grant funding, now recommends passage of the accompanying resolution supporting TOD loan/grant applications for submittal to Hennepin County for nine projects within the City of Minneapolis.

Your Committee further recommends approval of the City of Minneapolis priority rankings for the 2006 Hennepin County TOD proposals, and that the proper City staff be directed to submit advisory rankings to the Hennepin County Department of Housing, Transit and Community Works, as follows:

1. Seward Redesign, Franklin LRT Project
2. Capital Growth RE, Longfellow Station
3. City of Minneapolis, 46th Street Town Square
4. American Indian Neighborhood Development Corp., Builders Business Incubator
5. (tie) Agape Development Partners, Agape Apartments
6. (tie) LLC by A. Chazin and E. Bell, Corson's Corner
7. Real Asset Capital, Broadway Transit Center
8. Greenway Urban Housing, Greenway Apartments
9. Asian Media Access, Ramen Ya Multi-Arts Complex

Adopted 4/14/06.

Resolution 2006R-190, giving multi-jurisdictional program approval for the submission of Transit Oriented Development (TOD) grant applications to Hennepin County for projects located within the City of Minneapolis, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-190
By Goodman and Colvin Roy

Multi-Jurisdictional Program Approval for the Submission of Transit Oriented Development (TOD) Grant Applications to Hennepin County for projects located within the City of Minneapolis.

Whereas, the Hennepin County Transit Oriented Development (TOD) Program was established as a multi-jurisdictional reinvestment program under the authority of Minnesota Statutes 383B.79, Subdivision 1; and

Whereas, nine applications were submitted to Hennepin County for projects located within the City of Minneapolis for consideration in the 2006 Hennepin County TOD Program solicitation;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Seward Redesign for the Franklin LRT Project site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Capital Growth Real Estate for the Longfellow Station site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Minneapolis Department of Community Planning and Economic Development for the 46th Street Town Square site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by American Indian Neighborhood Development Corporation for the Builders Business Incubator site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Agape Development Partners for the Agape Apartments site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by the LLC by A. Chazin and E. Bell for the Corson's Corner site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Real Asset Capital for the Broadway Transit Center site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Greenway Urban Housing for the Greenway Apartments site.

Be It Further Resolved that the City of Minneapolis, in accordance with Minnesota Statutes 383B.79, Subdivision 3, supports the transit oriented development loan/grant application submitted to the Hennepin County Housing and Redevelopment Authority on February 23, 2006 by Asian Media Access for the Ramen Ya Multi-Arts Complex site.

Adopted 4/14/06.

The **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee recommends approval of the transfer of City mortgage revenue bond revenues to a Minneapolis-Saint Paul Housing Finance Board Trustee account to be held and disbursed as needed to pay for ongoing costs associated with the mortgage revenue bond programs.

Adopted 4/14/06.

Comm Dev & W&M/Budget – Your Committee, having under consideration the expansion of home improvement loan and grant programs over the past two years, now recommends that \$1 million worth of program income from past home improvement programs to be appropriated to the Community Planning and Economic Development (CPED) Department to provide additional resources for approximately 78 home improvement loans and grants.

Your Committee further recommends passage of the accompanying resolution increasing the CPED Department appropriation by \$1 million.

Adopted 4/14/06.

**RESOLUTION 2006R-191
By Goodman and Ostrow**

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the CDBG-HOME-ESG-UDAG Fund (0400-890-8953) by \$1,000,000.

Adopted 4/14/06.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Northeast Park Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

1) Approval of said action plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$252,685;

2) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$252,685 in the NRP fund for implementation of said Plan; and

3) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 4/14/06.

RESOLUTION 2006R-192

By Goodman and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$252,685.

Adopted 4/14/06.

The **HEALTH, ENERGY & ENVIRONMENT** Committee submitted the following reports:

HE&E - Your Committee recommends concurrence with the recommendation of the City Council and Mayor to appoint the following persons to the Citizens Environmental Advisory Committee, for two-year terms expiring December 31, 2006:

City Council

Nina Ebbighausen, business representative

Mayor

Corey Brinkema, business representative

Jill Boogren, technical expertise representative

Ken Bradley, technical expertise representative

Patty Elaine Selly, citizen representative.

Adopted 4/14/06.

HE&E - Your Committee recommends passage of the accompanying resolution affirming activity-friendly commitments.

Adopted 4/14/06.

Resolution 2006R-193, affirming activity-friendly commitments, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-193

By Benson

Affirming Activity-Friendly Commitments.

Whereas, *Active Living* is a way of life that integrates physical activity into daily routines. Individuals may do this in a variety of ways such as walking or bicycling for transportation, exercise or pleasure; playing in the park; working in the yard; taking the stairs; and using recreation facilities. The city can play an important role in creating an environment that encourages this activity; and

Whereas, the City of Minneapolis affirms activity-friendly commitments such as:

Maintaining and expanding a cohesive system of parks and trails, incorporating accessible neighborhood parks.

Establishing processes to assess and improve existing local infrastructure to increase physical activity through community design.

Requiring that neighborhood streets and new development be designed with pedestrians and bicyclists in mind.

Supporting recreation programs that encourage active living.

Creating walk able routes to existing schools.

Encouraging and facilitating physical activity through community design, public policies and communication strategies, such as increasing walk ability of communities, into public dialogue.

Supporting transportation alternatives and increasing measures for pedestrian and bicyclist safety;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis is committed to providing an activity friendly community to its residents.

Be It Further Resolved that the City Council hereby authorizes the application for The Governor's Fit City Program.

Adopted 4/14/06.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to submit a Healthy Homes Demonstration grant to the United States Department of Housing and Urban Development seeking up to \$1,000,000 for a demonstration project providing environmental assessments for asthmatic children, remediation of hazards, education on home environment and associated services in the homes of children diagnosed with Asthma.

Adopted 4/14/06.

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals to establish a list of environmental health services for the Department of Regulatory Services, subject to review and approval by the Permanent Review Committee.

Adopted 4/14/06.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR – Your Committee recommends passage of the accompanying resolution supporting bid proposals for the purpose of securing a national political convention in the year 2008.

Adopted 4/14/06.

Resolution 2006R-194, supporting bid proposals for the purpose of securing a national political convention in the year of 2008, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-194

By Hodges

Supporting bid proposals for the purpose of securing a national political convention in the year of 2008.

Whereas, every four years the national political parties convene in a city within the United States, for the purpose of nominating Presidential and Vice Presidential candidates; and

Whereas, these conventions result in intense national and international focus on the host cities and states; and

Whereas, these conventions will result in significant economic development opportunities and benefits to corporations and individuals in the host cities; and

Whereas, these conventions can attract in excess of 20,000 attendees generating nearly \$100 million in economic benefits for the host cities; and

Whereas, many of these attendees extended their travel to vacations within the state and region in which the host city is located; and

Whereas, the Cities of Minneapolis and Saint Paul, the metropolitan area, and the State of Minnesota have requisite facilities and accommodations required by the national political conventions; and

Whereas, the State of Minnesota has not hosted a national political convention since the 1892 Republican convention; and

Whereas, the Cities of Minneapolis and Saint Paul have received invitations to bid on the National Political Conventions from both the Democratic National Committee and the Republican National Committee;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Minneapolis City Council shall support the solicitation and hosting of a national political convention in the State of Minnesota in the year 2008.

Adopted 4/14/06.

IGR - Your Committee, having under consideration the Senate Omnibus Crime bill, now recommends that the Council support funding for public safety appropriations, including:

- a) Minnesota Gang Strike Force;
- b) Reimbursement to municipalities for bomb squad assistance;
- c) Youth intervention programs;
- d) Support services for families and individuals who have died by homicide, suicide or accident;
- e) Expansion of the Downtown Minneapolis security collaborative.

Adopted 4/14/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Z H C Inc, dba Wasabi Fusion Cuisine, 903 Washington Av S, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire April 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 4/14/06.

PS&RS - Your Committee, having under consideration the application of Bon Appetit Management Company, dba Cue at the Guthrie, 818 S 2nd St, for an On-Sale Liquor Class A with Sunday Sales License (new business) to expire January 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 4/14/06.

PS&RS - Your Committee, having under consideration the application of Chewy's Sports Bar & Grill Inc, dba Little Wagon, 420 S 4th St, for an On-Sale Liquor Class B with Sunday Sales License (change in ownership from Little Wagon Co Inc) to expire April 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 4/14/06.

PS&RS - Your Committee, having under consideration the application of Familia Dominguez Inc, dba Dominguez Family Restaurant, 3313 E 50th St, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2007, now recommends that said license be granted, subject to the licensee agreeing to the following conditions:

- a. replace the chain link fence located between the Dominguez Restaurant property and the single family dwelling to the south with a six-foot high, solid wooden fence on or before June 1, 2006.
- b. install a dumpster enclosure on or before June 1, 2006.
- c. maintain hours of operation not to exceed Midnight on Fridays and Saturdays, and 10:00 p.m. on weeknights.
- d. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 4/14/06.

Resolution 2006R-195, granting applications for Liquor, Wine and Beer Licenses, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-195

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2007

Hyatt Minneapolis LLC, dba Hyatt Regency Minneapolis, 1300 Nicollet Mall (regular expansion of premises)

On-Sale Liquor Class A with Sunday Sales, to expire June 23, 2006

Bryant Lake Restaurants Inc, dba Bryant Lake Bowl, 810 W Lake St (temporary expansion of premises June 23, 2006, 6:00 p.m. to 10:30 p.m.)

On-Sale Liquor Class A with Sunday Sales, to expire April 15, 2006

Food and Drink Inc, dba Bar Fly, 711 Hennepin Av (temporary expansion of premises April 15, 2006, 8:00 p.m. to 2:00 a.m.; location: banquet room)

On-Sale Liquor Class A with Sunday Sales, to expire April 7, 2006

Food and Drink Inc, dba Bar Fly, 711 Hennepin Av (temporary expansion of premises April 7, 2006, 8:00 p.m. to 2:00 a.m.; location: banquet room)

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2006

P J Hafiz Club Management Inc, dba Sneaky Pete's Bar & Grill, 14 5th St N (new business)

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2007

ZG Mill City Cafe Co, dba Mill City Cafe, 2205 California St NE (new proprietor)

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 16, 2006

Mr Susie Inc, dba Barbette, 1600 W Lake St (temporary expansion of premises July 16, 2006, 2:00 p.m. to 10:00 p.m.)

Temporary On-Sale Liquor

Minneapolis Mounted Patrol, dba Minneapolis Mounted Patrol, 81 S 9th St #260 (Free outdoor concert, June 19, 20 & 21, 2006 at Peavey Plaza, 5:00 p.m. to 10:30 p.m.; Licensed facilitator: The Local)

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St #260 (Free outdoor concert, June 22, 23 & 24, 2006 at Peavey Plaza, 5:00 p.m. to 10:30 p.m.; and June 25, 2006, Noon to 8:00 p.m.; Licensed facilitator: The Local)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2007

Civitali Restaurant Corp, dba Punch Neapolitan Pizza, 208 E Hennepin Av (new business)

Temporary On-Sale Wine

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St #260 (Alive After 5, June 1 & 2, 2006, 5:00 p.m. to 10:30 p.m. at Peavey Plaza; Licensed facilitator: The Local)

Marketing Minneapolis LLC, dba Marketing Minneapolis LLC, 81 S 9th St #260 (Alive After 5, June 5, 6 & 7, 2006, 5:00 p.m. to 10:30 p.m. at Peavey Plaza; Licensed facilitator: The Local)

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St #260 (Alive After 5, June 8, 9 & 10, 2006, 5:00 p.m. to 10:30 p.m. at Peavey Plaza; Licensed facilitator: The Local)

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St #260 (Alive After 5, June 12, 13 & 14, 2006, 5:00 p.m. to 10:30 p.m. at Peavey Plaza; Licensed facilitator: The Local)

Marketing Minneapolis LLC, dba Marketing Minneapolis LLC, 81 S 9th St #260 (Alive After 5, June 15 & 16, 2006, 5:00 p.m. to 10:30 p.m. at Peavey Plaza; Licensed facilitator: The Local)

Temporary On-Sale Beer

Sacred Heart of Jesus, 420 22nd St NE (Polish Fest, August 12, 2006, 11:00 a.m. to 7:00 p.m.).
Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 4/14/06.

Resolution 2006R-196, granting applications for Business Licenses, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-196

By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of April 14, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271110):

Dry Cleaning & Laundry Pickup Station; Laundry; Place of Entertainment; Boarding House; Caterers; Confectionery; Food Distributor; Grocery; Food Manufacturer; Food Market Manufacturer; Food Market Distributor; Indoor Food Cart; Meat Market; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cart Food Vendor; Vending Machine; Fuel Dealer; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Motor Vehicle Repair Garage; Municipal Market; Commercial Parking Lot Class A; Plumber; Rental Halls;

Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Sign Hanger; Swimming Pool - Public; Taxicab Service Company; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Non-transferable; Theater Zone I; Tobacco Dealer; Combined Trades; and Valet Parking.

Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 4/14/06.

Resolution 2006R-197, granting applications for Gambling Licenses, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-197
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Class A

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av NE (Site: Italian American Club of Minneapolis, 2221 Central Av NE)

Gambling Class B

Catholic Eldercare Community Foundation, dba Catholic Eldercare Community Foundation, 817 Main St NE (Site: Dusty's, 1319 Marshall St NE)

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av NE (Site: Legends Cafe, 825 E Hennepin Av)

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av NE (Site: Moose on Monroe, 356 Monroe St NE)

Gambling Lawful Exempt

All Saints Catholic Church, dba All Saints Catholic Church, 435 5th St NE (Bingo April 9, 2006)
Academy of Holy Angels, dba Academy of Holy Angels, 6600 Nicollet Av S, Richfield (Raffle April 29, 2006 at Hyatt Regency Minneapolis, 1300 Nicollet Mall).

Open Arms of Minnesota Inc, dba Open Arms of Minnesota Inc, 1414 E Franklin Av (Raffle May 18, 2006 at Woman's Club of Minneapolis, 410 Oak Grove St).

Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the Motor Vehicle Repair Garage License held by Fred and Frem, Inc, 3013 Pillsbury Av S.

Adopted 4/14/06.

Resolution 2006R-198, approving Technical Advisory Committee recommendations relating to the Motor Vehicle Repair Garage License held by Fred and Frem, Inc, 3013 Pillsbury Av S, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-198
By Samuels

Approving Technical Advisory Committee recommendations relating to the Motor Vehicle Repair Garage License held by Fred and Frem, Inc, 3013 Pillsbury Av S.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on March 6, 2006 with the licensee to discuss possible violations of law relating to the operation of a licensed establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations as a result of the licensee violating the Minneapolis Code of Ordinances by failing to pay administrative fines in a timely manner; failing to renew its license by the due date; using the City right-of-way to park and store customer vehicles; and parking vehicles on City sidewalks;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- a. the licensee agrees to lease another building to solely handle the estimating, mechanical engine repair of the business, vehicle storage aspect of the business, and repair estimates, thereby ceasing all customer use of the building at 3013 Pillsbury Avenue within 60 days.
- b. the licensee agrees to pay outstanding administrative citations, in the amount of \$1,180, within 60 days.
- c. the licensee agrees to keep customer vehicles off the City right-of-way, sidewalks and streets.
- d. the licensee understands that failure to comply with the TAC Agreement may result in the loss of the business license.

Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the Valet Parking License held by Cities Valet Inc, 4730 Carlow Rd, Mound.

Adopted 4/14/06.

Resolution 2006R-199, approving Technical Advisory Committee recommendations relating to the Valet Parking License held by Cities Valet Inc, 4730 Carlow Rd, Mound, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-199
By Samuels

Approving Technical Advisory Committee recommendations relating to the Valet Parking License held by Cities Valet Inc, 4730 Carlow Rd, Mound.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on February 28, 2006 with the licensee to discuss possible violations of law relating to the operation of a licensed establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that the licensee violated the Minneapolis Code of Ordinances governing valet parking, and that it failed to comply with all applicable laws and ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

a. the licensee shall be assessed a civil penalty of a \$6,800 fine, of which \$5,000 shall be paid by the licensee within seven days of Council approval of the TAC Agreement, and with \$1,800 being stayed for a period of one year from the effective date of the TAC Agreement, on the condition there be no same or similar type violations.

b. Cities Valet shall comply with the Minneapolis Code of Ordinances, specifically Chapter 307 governing Valet Parking.

c. Cities Valet shall comply with Section 259.250(2) of the Code governing business management responsibilities, in that it shall maintain and operate its business in compliance with all applicable laws and ordinances.

d. Cities Valet shall comply with Section 259.250(3) of the Code governing business management responsibilities, in that it shall be directly and vicariously responsible for violations committed by its employees while they are employed providing the service of valet parking.

e. If during a period of one year from the effective date of this Agreement, the licensee fails to comply with Section 307.120(6) or Section 307.130(2) governing Valet Parking of the Code, or fails to timely remit the fine amounts due herein, the licensee shall serve a five-day license suspension, the dates of such suspension to be selected by Licensing staff.

f. Within 30 days of Council approval of the TAC Agreement, the licensee shall present to each employee and manager a formal training program which will include a Department-approved training manual comprising, at a minimum, the following:

- A copy of the Minneapolis Code of Ordinances, Chapter 307 governing valet conduct, and Section 259.250(1) (2) and (3) governing the responsibilities of licensed businesses, plus an interpretation, if needed.

- A guide showing the intended routes to be taken by each driver from the valet zone to the off-street parking location.

- A written code of conduct for employees when interacting with City staff.

- A guide to identifying the typical pitfalls drivers may encounter and the safeguards they can use to protect themselves.

- A prerequisite of employment that valet drivers must sign off on the training manual agreeing to abide by its requirements and before being allowed to drive patrons' cars.

g. The aforementioned formal training program shall be presented to each current employee and manager and every new employee.

Adopted 4/14/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Wine Class with Strong Beer License held by Broder's Southside Pasta Bar, 5000 Penn Av S.

Adopted 4/14/06.

Resolution 2006R-200, approving Technical Advisory Committee recommendations relating to the On-Sale Wine Class with Strong Beer License held by Broder's Southside Pasta Bar, 5000 Penn Av S, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-200

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Broder's Southside Pasta Bar, 5000 Penn Av S.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on February 10, 2006 with the licensee to discuss possible violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that employees of the licensee violated the Minneapolis Code of Ordinances and the established compliance check policy and procedures of the City by providing alcohol to persons under the age of 21 on two separate occasions in a period of less than two months;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Wine with Strong Beer License issued to Broder's Southside Pasta Bar shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including December 2, 2007, subject to compliance with the following conditions, and in accordance with said Findings on file in the Office of the City Clerk which are hereby made a part of this report by reference:

a. It is strongly suggested, but not required, that Broder's Southside Pasta Bar require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. Broder's Southside Pasta Bar has full knowledge of the consequences regarding any future incidents involving sale of alcohol to minors and understands that such incidents could lead to a revocation of their On-Sale Wine with Strong Beer License. Broder's Southside Pasta Bar agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

b. Broder's Southside Pasta Bar will pay \$1,500 in outstanding administrative fines owed to the City by Wednesday March 29, 2006.

c. Broder's Southside Pasta Bar will pay \$1,000 in cost recovery to the City by Wednesday, March 29, 2006.

d. The On-Sale Wine with Strong Beer License of Broder's Southside Pasta Bar is suspended for a period of 30 days. Imposition of 29 days of the suspension will be stayed and 1 day will be imposed. The date of this suspension has been chosen by Broder's Southside Pasta Bar and will be April 16, 2006. Should the licensee violate any provision of this TAC Agreement while it is in effect, it shall be subject to additional adverse license action, including but not limited to the imposition of the stayed license suspension period as well as the potential commencement of license revocation proceedings.

e. All Broder's Southside Pasta Bar employees will attend alcohol server training that will be presented by Tom or Molly Broder. This training will occur on a yearly basis for all employees. Any newly hired employees must attend this training within 30 days of hire. All managers and owners who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services and be completed within 30 days of the date of the effective date of the TAC Agreement. All new managers will be required to attend retail alcohol management training within 30 days of hire.

f. A properly trained manager or owner must be on-site during business hours at all times.

g. This TAC Agreement does not alter or preclude any previously imposed license conditions that may exist.

h. The licensee is aware that it will be subject to additional compliance checks during the term of this TAC Agreement. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and, if asked, will present their actual duly-issued age identification.

i. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this TAC Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

j. This TAC Agreement shall remain in effect through and including December 2, 2007. It is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 4/14/06.

PS&RS - Your Committee, having received an Order from the State Court of Appeals requesting that the City Council make a formal decision on whether or not to grant a stay of its demolition order for the property located at 2822 15th Av S, now recommends that the request for a stay of demolition be denied.

Adopted 4/14/06.

PS&RS - Your Committee, having under consideration the property located at 2535 15th Av S which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as South Half of Lot 9, Block 16, Gale's First Addition to Minneapolis (PID #35-029-24-13-0246), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 4/14/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

PS&RS & T&PW - Your Committee, having under consideration recommendations relating to new Sidewalk Cafe Standards, now recommends the following:

PS&RS - Adopt Revised Sidewalk Cafe Standards and new Outdoor Smoking Area Standards, as set forth in Petn No 271113 on file in the Office of the City Clerk.

T&PW - Adopt Sidewalk Cafe Standards and new Outdoor Smoking Area Standards, as set forth in Petn No 271113 on file in the Office of the City Clerk.

Samuels moved that the report be amended to approve the Public Safety & Regulatory Services Committee recommendation and to delete the Transportation & Public Works Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 4/14/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a donation of \$2,500 from the City of Pine Island to replace a Hovercraft Trailer borrowed to them by the Minneapolis Fire Department. Further, passage of the accompanying Resolution appropriating \$2,500 to the Fire Department.

Adopted 4/14/06.

RESOLUTION 2006R-201
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Other Fund (060-280-2806) by \$2,500 and increasing the Revenue Source (060-280-2806 - Source 3720) by \$2,500.

Adopted 4/14/06.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute the MnPass I-394 High Occupancy Toll Joint Powers Agreement with the Minnesota Department of Public Safety, Commissioner of Transportation, to receive up to \$35,000 per year to reimburse overtime details by Police Traffic Unit officers to enforce MnPass I-394 High Occupancy Toll lane rules and regulations. Further, passage of the accompanying Resolution appropriating \$35,000 to the Police Department.

Adopted 4/14/06.

RESOLUTION 2006R-202
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-DT13) by \$35,000 and increasing the Revenue Source (060-400-DT13 - Source 3215) by \$35,000.

Adopted 4/14/06.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept training registration fees from individual and outside agency attendees of Police sponsored training programs. Said registration fees will be deposited in the Police Department Training Fund (010-400-B111-6050-01).

Adopted 4/14/06.

The **RULES** Committee submitted the following report:

RULES - Your Committee recommends that City Council Rule 12, *Order of Business*, be amended to include "Announcements" as the 11th Order of Business.

Adopted 4/14/06.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to increase Contract No. C-20079 with Control Assemblies, in the amount of \$70,172.02, for a revised contract total of \$1,570,731.57, to allow for additional work required during the installation of a System Control and Data Acquisition (SCADA) System at the Fridley Filtration Plant. Funds are available within the existing project budget.

Adopted 4/14/06.

T&PW - Your Committee, having under consideration an application for a large block event permit for the Central Library Grand Opening, to be held on May 20, 2006, now recommends that the block event be allowed to operate outside the time frame allowed under Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted 4/14/06.

T&PW - Your Committee, having under consideration an application for a large block event permit for the Minneapolis Institute of Arts Grand Opening Festival, to be held on June 10 and 11, 2006, now recommends that the block event be allowed to operate outside the time frame allowed under Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted 4/14/06.

T&PW - Your Committee, having under consideration the Deer Herd Reduction Program at the Minneapolis Water Works Facility in Fridley, now recommends that the proper City officers be authorized to enter into an indemnification agreement with the City of Fridley holding them harmless from any claims resulting from the program.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Lyndale Av N Reconstruction Project, Special Improvement of Existing Street No. 2942, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of \$259,672.23 for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$259,670.

Adopted 4/14/06.

Resolution 2006R-203, ordering the work to proceed and adopting the special assessments for the Lyndale Av N Reconstruction Project, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-203
By Colvin Roy and Ostrow

LYNDALE AVENUE N STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2942

Ordering the work to proceed and adopting the special assessments for the Lyndale Av N Reconstruction Project.

Whereas, a public hearing was held on April 4, 2006, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2006R-129, passed March 10, 2006 to consider the proposed special assessments, as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2006R-129, passed March 10, 2006.

Be It Further Resolved that the proposed special assessments in the total amount of \$259,672.23 for the Lyndale Av N Reconstruction Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that for the Lyndale Av N Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for, with collection to begin on the 2007 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2007 real estate tax statements.

Adopted 4/14/06.

Resolution 2006R-204, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$259,670 for the purpose of paying the assessed cost of street improvements in the Lyndale Av N Street Reconstruction Project, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-204
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$259,670 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lyndale Av N Street Reconstruction Project, Special Improvement of Existing Street No. 2942, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 4/14/06.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Cooperative Construction Agreement with the Metropolitan Council, in the amount of \$50,261, for the modification of traffic signal and street lighting facilities on West Broadway Av for the Bottineau Boulevard Bus Rapid Transit Project.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation and revenue in the PW-Transportation-Capital Agency in the Permanent Improvement Projects Fund by \$50,261, to be reimbursed by the Metropolitan Council.

Adopted 4/14/06.

RESOLUTION 2006R-205
By Colvin Roy and Ostrow

Amending the 2006 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the PW-Transportation-Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440-3755) by \$50,261, to be reimbursed by the Metropolitan Council.

Adopted 4/14/06.

T&PW & W&M/Budget - Your Committee, having under consideration the issuance of a Request for Proposals (RFP) for advertising in City-owned parking ramps and adjoining walkways, with staff recommendations as follows:

- a) Approval of the selection of CityLitesUSA as the successful vendor for providing advertising services within the Municipal Parking System; and
- b) That the proper City officers be authorized to negotiate and execute a contract between the City of Minneapolis and CityLitesUSA for these services; now recommends:

T&PW: Approval.

W&M/Budget: Approval, with direction that staff return to Committee prior to the final execution of the contract, with a report detailing possible future revenue, both with and without floor advertising included in the contract.

Colvin Roy moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Transportation & Public Works Committee recommendation. Seconded.

Adopted by unanimous consent.

Ostrow moved that the report be amended by adding the following language: "That staff be further directed to engage the Greater Minneapolis Convention and Visitors Association (GMCVA), Minneapolis Convention Center and Downtown Council Skyway Advisory Committee to develop standards that will address the placement, type, size and locations of advertising within the skyway system prior to any installations." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 4/14/06.

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Riverfront (Guthrie) Municipal Parking Ramp, now recommends approval of Change Orders 5 through 8 increasing Contract No. C-19528 with the ramp design builder, Guthrie Theater Foundation, by \$83,649, for a revised contract total of \$24,618,114, in order to complete the remaining change orders prior to project completion. No additional appropriation required.

Adopted 4/14/06.

T&PW & W&M/Budget - Your Committee, having under consideration the reconstruction of East Lake Street from Hiawatha Avenue to West River Road, now recommends:

- a) Passage of the accompanying resolution authorizing the proper City officers to execute a Force Account Agreement with the Minnesota Department of Transportation (MnDOT) and Hennepin County appointing the Commissioner of Transportation as Agent of the City of Minneapolis; and
- b) Authorizing the proper City officers to execute Amendment No. 2 to PW 51-20-01, Agreement for Cost Participation in Professional Engineering Services, Professional Management Services and Public Affairs Services for CSAH 3 (Lake Street), in the amount of \$17,360.89, pending satisfactory review by the City Attorney.

Adopted 4/14/06.

RESOLUTION 2006R-206
By Colvin Roy and Ostrow

Authorizing the proper City Officers to execute a Force Account Agreement with the Minnesota Department of Transportation and Hennepin County.

Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statute 161.36, the Commissioner of Transportation be appointed as agent of the City of Minneapolis to accept as its agent Federal Aid Funds which may be made available for eligible transportation-related projects.

Adopted 4/14/06.

T&PW & W&M/Budget - Your Committee, having under consideration the lease of State-owned property under the I-94 Bridge at 198 Aldrich Av N for the storage of street maintenance materials and equipment, now recommends that the proper City officers be authorized to execute Amendment No. 4 to Minnesota Department of Transportation (MnDOT) Lease H-05829 providing for the continuance of said lease for five years, commencing April 1, 2006, with rental rates remaining at \$1,725 per month for the term of the lease.

Adopted 4/14/06.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept an amended award agreement which includes an additional \$866,000 in grant funds, and execute the contract, as amended, with the United States Environmental Protection Agency (EPA) to provide funding for the Combined Sewer Overflow (CSO) Project No. SW005.

Your Committee further recommends passage of the accompanying resolutions:

- a) Increasing the appropriation and revenue in the Grants-Federal Fund by \$866,000; and
- b) Increasing the appropriation and revenue in the Sewer Enterprise Fund by \$866,000.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

RESOLUTION 2006R-207
By Colvin Roy and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the PW-Sewer Construction-Capital Agency in the Grants-Federal Fund (0300-932-9322-3210) by \$866,000, to be reimbursed by EPA Grant.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

RESOLUTION 2006R-208
By Colvin Roy and Ostrow

Amending the 2006 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the PW-Sewer Construction-Capital Agency in the Sewer Enterprise Fund (7300-932-9322-3210) by \$866,000, to be reimbursed by EPA grant.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

T&PW & W&M/Budget - Your Committee, having under consideration the potential sale of City-owned parking ramps, now recommends adoption of Exhibit A – “Sale Criteria for Parking Facilities”, as well as the “Financial Conditions” and “Use of Proceeds” as set forth in the Financial Impact portion of the letter of request, to be used in the RFP process. (Petr. 271120)

Your Committee further recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for the potential sale of nine City-owned parking ramps.

Benson moved that Petition No. 271120, referred to in the report, be amended on page 5 by adding the following language to the Preliminary Basic Sales Conditions for the St. Anthony Main Parking Ramp: "maintain parking supply for any critical users." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 4/14/06.

Yeas, 12; Nays, 1 as follows:

Yeas - Schiff, Lilligren, Colvin Roy, Glidden, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Johnson.

Nays - Remington.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution approving bids submitted to the Public Works Department, all in accordance with City specifications (Petr No. 271120).

Adopted 4/14/06.

Resolution 2006R-209, granting the approval of the bids for a) the delivery of bituminous mixtures; b) the excavation, removal, and safe disposal of asbestos-containing electrical conduit as needed through December 31, 2007; c) janitorial service at the Public Service Center through April 30, 2007; d) the construction of the Urban Village Public Promenade on the north side of the Midtown Greenway from Aldrich to Colfax Av; e) refuse low entry cab and chassis and packer bodies to Public Works Solid Waste and Recycling; f) polyester resin material and felt liner to Public Works Sewer Division; and g) the construction of sidewalks, alleys, driveways, curbs, and gutters, as needed through December 31, 2006, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-209
By Colvin Roy and Ostrow

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications, and contingent upon approval of the Civil Rights Department. (Petr No 271120)

a) OP 6574, Accept low bids for the delivery of bituminous mixtures, as follows:

- Midwest Asphalt Corporation, for an estimated annual expenditure of \$1,131,846;
- Commercial Asphalt Company, for an estimated annual expenditure of \$977,202; and
- Bituminous Roadways, Inc., for an estimated annual expenditure of \$457,500;

b) OP 6577, Accept low bid of Belair Excavating, for an estimated expenditure of \$133,755, to furnish and deliver all labor, equipment, and incidentals necessary for the excavation, removal, and safe disposal of asbestos-containing electrical conduit as needed through December 31, 2007;

c) OP 6581, Accept low responsive bid of Five Star H. Enterprises, Inc., for an estimated annual expenditure of \$120,000, to provide janitorial service at the Public Service Center through April 30, 2007;

d) OP 6582, Accept low bid of Fitol-Hintz Construction, Inc., in the amount of \$555,812.54, to furnish all labor, materials, equipment, permits, and incidentals necessary to accomplish the construction of the Urban Village Public Promenade on the north side of the Midtown Greenway from Aldrich to Colfax Ave)

e) OP 6585, Accept low responsive bids to furnish and deliver refuse low entry cab and chassis and packer bodies to Public Works Solid Waste and Recycling, as follows:

- Crane Carrier Corporation, in the amount of \$774,704; and
- ABM Equipment & Supply, in the amount of \$224,799;

f) OP 6586, Accept bid of J.W.M. Environmental, Inc., for an estimated annual expenditure of \$300,000, to furnish and deliver polyester resin material and felt liner to Public Works Sewer Division; and

g) OP 6589, Accept low bids to furnish and deliver all labor, materials, equipment, and incidentals necessary for the construction of sidewalks, alleys, driveways, curbs, and gutters, as needed through December 31, 2006, as follows:

- Standard Sidewalk, Inc., in the amount of \$1,668,607; and
- Create Construction, LLC, in the amount of \$872,701.

Adopted 4/14/06.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying Resolution authorizing the settlement of the legal matter, as recommended by the City Attorney.

Adopted 4/14/06.

Resolution 2006R-210, authorizing settlement of the legal claim of Robin Goodwin, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-210

By Ostrow

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of Robin Goodwin v. City of Minneapolis, by payment of \$4,500 to Robin Goodwin and her attorneys, Griffel & Dorshow, Chartered;

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted 4/14/06.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Unisys Managed Services Contract C-18881, to increase the scope of the agreement by \$125,636.43 to allow increased storage and better utilization of storage space. Current and on-going support will use existing appropriations of Capital Long-Range Improvement Committee (CLIC) funds.

Adopted 4/14/06. Yeas, 12; Nays, 1 as follows:

Yeas - Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Hofstede, Ostrow, Johnson.

Nays - Gordon.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving construction change orders for contracts related to the New Central Library Project.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

Resolution 2006R-211, approving construction change orders for contracts related to the New Central Library Project, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-211
By Ostrow

Approving Change Orders for the New Central Library Project.

Resolved by The City Council of The City of Minneapolis:

That the following change orders be approved:

- a) Change Order No. 14 increasing Contract Number C-20481 with PCL Construction Services, Inc. by \$288,243; and
- b) Change Order No. 6 increasing Contract Number C-20133 with HKL Cladding Systems, Inc. by \$37,624.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

W&M/Budget - Your Committee recommends approval of the May 2006 utility billing insert providing information announcing the 2006 Minneapolis Mosaic Celebrating Diversity program and kick-off event on June 10-11, 2006.

Adopted 4/14/06.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to hire Anne M. Engel for the position of Real Estate Assistant, Real Estate Development Services (Step 8).

Adopted 4/14/06.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to hire Kevin Walker for the position of Senior Project Coordinator, Multifamily Housing (Step 5).

Adopted 4/14/06.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for City of Minneapolis Medical Plan Marketing and Benefit Consulting Services; and to enter into contract negotiations with the selected vendor.

Adopted 4/14/06.

Approved by Mayor Rybak 4/17/06.

(Published 4/18/06)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract C-19903 with Securitas Security Services USA, Inc., at an estimated cost of \$950,000 for providing in-house security services at the Minneapolis Convention Center, extending the contract period from January 1, 2006 through August 31, 2006, or upon completion of the Request for Proposal process.

Adopted 4/14/06.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract C-015132 with Metropolitan Sports Facilities Commission, for providing event parking at the Hubert H. Humphrey Metrodome stadium parking lot, extending the contract period from January 1, 2006 through December 31, 2008, under the same terms and conditions with the parking rate to remain at \$7 per vehicle per day, at an estimated annual cost of \$5,000.

Adopted 4/14/06.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract C-19948 with TCF National Bank, for leasing space at the Convention Center for Automated Teller Machines (ATMs), to increase the number of ATMs from two to five under the same terms and conditions cited in the contract, providing payment to the City of an annual guaranteed minimum base fee plus a fee structure based on the number of transactions.

Adopted 4/14/06.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Carol Megarry from the decision of the Planning Commission which approved applications of Drecktrah Real Estate LLC, for: a) conditional use permit to allow 5 dwelling units; b) variance to reduce the front yard requirement along Grand Ave S from the established setback to 15 feet to allow a residential structure; c) variance to reduce the front yard requirement along Grand Ave S from the established setback to 9 feet to allow three patios; d) variance to reduce the front yard requirement along Grand Ave S from the established setback to 12 feet to allow three entrance canopies; e) variance to reduce the interior side yard requirement along the north property lines from 15 feet to 7 feet to allow three entrances and variance to reduce the interior side yard requirement along the south property line from 15 feet to 7 feet to allow a side entrance; f) variance to increase the maximum floor area of a detached garage from 776.6 to 1,219 square feet; g) variance to reduce the minimum drive aisle width from 22 feet to 7 feet; and h) site plan review to allow a 5-unit building at 3535 and 3539 Grand Ave, now recommends that said appeal be denied and that the related findings prepared by the Department of Community Planning & Economic Development be adopted.

Adopted 4/14/06.

Z&P - Your Committee, having under consideration the appeal filed by Carol Megarry from the decision of the Planning Commission which approved applications of Drecktrah Real Estate LLC, for: a) conditional use permit to allow 5 dwelling units; b) variance to reduce the front yard requirement along Grand Ave S from the established setback to 15 feet to allow a residential structure; c) variance to reduce the front yard requirement along Grand Ave S from the established setback to 9 feet to allow three patios; d) variance to reduce the front yard requirement along Grand Ave S from the established setback to 12 feet to allow three entrance canopies; e) variance to reduce the interior side yard requirement along the north property lines from 15 feet to 7 feet to allow two side entrances; f) variance to reduce the interior side yard requirement along the south property line from 15 feet to 7 feet to allow a side entrance; g) variance to increase the maximum floor area of a detached garage from 776.6 to 1,219 square feet; h) variance to reduce the minimum drive aisle width from 22 feet to 7 feet; and i) site plan review, to allow a 5-unit building at 3539 and 3543 Grand Ave, now recommends that said appeal be denied and that the related findings prepared by the Department of Community Planning & Economic Development be adopted.

Adopted 4/14/06.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in denying the petition of Edward Boler (BZZ-2812) to rezone the property at 226 W 33rd St from R2B to the R4 District to permit a three-family dwelling, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Adopted 4/14/06.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Shamrock Development, Inc. (BZZ-2837) to rezone the property at 1000, 1010 and 1026 Washington Ave S, 200 and 212 11th Ave S from I1 to the C3A District and removing the Industrial Living Overlay District to permit retention of an existing 3-story mixed-use building, and the construction of a new 277-unit residential building, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 4/14/06.

Ordinance 2006-Or-029 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1000, 1010 and 1026 Washington Ave S, 200 and 212 11th Ave S to the C3A District and removing the Industrial Living Overlay District, was adopted 4/14/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

Ordinance 2006-Or-029
By Schiff
1st & 2nd Readings: 4/14/06

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, to the C3A District and removing the Industrial Living Overlay District, pursuant to MS 462.357, (Zoning Plate 20) as follows:

A. Lots 8, 9 and 10, Block 113 Town of Minneapolis, Hennepin County, Minnesota. Also that part of Lots 1, 2 and 3 lying northeasterly of the southwesterly 20 feet thereof, Block 113, Town of Minneapolis, Hennepin County, Minnesota (1000 and 1010 Washington Ave S).

B. The northeasterly 80 feet of the southwesterly 100 feet of Lots 4 and 5, Block 113, Town of Minneapolis, Hennepin County, Minnesota (1026 Washington Ave S).

C. The northeasterly 115 feet of Lots 6 and 7, Block 113, Town of Minneapolis, Hennepin County, Minnesota (200 11th Ave S).

D. The northeasterly 65 feet of Lots 4 and 5, Block 113, Town of Minneapolis, Hennepin County, Minnesota, and, the southwesterly 50 feet of Lots 6 and 7, Block 113, Town of Minneapolis, Hennepin County, Minnesota (212 11th Ave S).

Adopted 4/14/06.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Drecktrah Real Estate (BZZ-2830) to rezone the property at 3543 Grand Ave S from C1 to the R5 District to permit a 5-unit building, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 4/14/06.

Ordinance 2006-Or-030 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3543 Grand Ave S to the R5 District, was adopted 4/14/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

Ordinance 2006-Or-030
By Schiff
1st & 2nd Readings: 4/14/06

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

All that part of Lot 10, Block 16, BAKER'S ADDITION TO MINNEAPOLIS, which lies north of the following described line: Beginning at a point in the West line of said Lot 10, distant 10.75 feet North of the Southwest corner of said Lot 10; thence running East 125.06 feet more or less to a point in the East line of said Lot 10, which point is distant 10.65 feet North of the Southeast corner of said Lot 10, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota (3543 Grand Ave S - Plate 25) to the R5 District.

Adopted 4/14/06.

Z&P – Your Committee concurs in the recommendation of the Planning Commission relating to applications of Sherman Associates (BZZ-2807) for a mixed-use development including 66 dwelling units and 15,000 square feet of commercial space at 2316, 2320, 2322, 2324, 2328 and 2338 Central Ave NE, 910 and 916 24th Ave NE and a portion of the property located at 2323 Jackson St NE, and adopting the related findings prepared by the Department of Community Planning & Economic Development, as follows:

A. Granting the petition to rezone the properties at 910 24th Ave NE and a portion of 2323 Jackson St NE from C1 to the C2 District with the Pedestrian Oriented Overlay District, by passage of the accompanying ordinance amending the Zoning Code.

B. Approving the application of to vacate a public alley (#1443), subject to retention of easement rights by Xcel Energy and Qwest, by passage of the accompanying resolution.

Adopted 4/14/06.

Ordinance 2006-Or-031 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 910 24th Ave NE and a portion of 2323 Jackson St NE to the C2 District with the Pedestrian Oriented Overlay District, was adopted 4/14/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

Ordinance 2006-Or-031
By Schiff
1st & 2nd Readings: 4/14/06

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 2, Block 1, WILSON CENTRAL ADDITION: The East 80.34 feet of Lots 16 through 20, which lies north of the south 26.00 feet of said Lots 16 through 20. AND that part of the Alley in Block 9, lying north of the easterly extension of the south 26.00 feet of Lot 16, said Block 9. AND Lots 1 through 6, together with Lot 7, except that part of said lot 7 lying southerly of a line drawn from a point on the east line of said lot 7 distant 32.13 feet north from the southeast corner of said lot to a point on the west line of said lot 7 distant 32 feet north of the southwest corner of said lot; All in Block 9, Wilson's Rearrangement of Block 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39 and 41 of East Side Addition to City of Minneapolis, according to the recoded plat thereof, Hennepin County, Minnesota (910 24th Ave NE and a portion of 2323 Jackson St NE - Plate 10) to the C2 District.

Adopted 4/14/06.

Resolution 2006R-212, vacating a public alley in the vicinity of 2316, 2320, 2322, 2324, 2328 and 2338 Central Ave NE, 910 and 916 24th Ave NE and a portion of the property located at 2323 Jackson St NE, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

Resolution 2006R-212
By Schiff

Vacating part of the platted alley, Block 9, Wilson's Re-arrangement to the Eastside Addition to Minneapolis (#1443, in the vicinity of 2316, 2320, 2322, 2324, 2328 and 2338 Central Ave NE, 910 and 916 24th Ave NE and a portion of the property located at 2323 Jackson St NE).

Resolved by The City Council of The City of Minneapolis:

All that part of the public alley dedicated in Block 9, Wilson's Rearrangement to the Eastside Addition to Minneapolis, Hennepin County, Minnesota, lying north of a line extended westerly from the southwest corner of Lot 5, said Addition, to the southeast corner of Lot 16, said Addition, according to the recorded plat thereof, Hennepin County, Minnesota, is hereby vacated except that such vacation shall not affect the existing authority of Xcel Energy or Qwest, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

Xcel Energy, subject to an easement over the entire area to be vacated;

Qwest, subject to an easement over the entire area to be vacated;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 4/14/06.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Sherman Associates (BZZ-2810) to rezone the property at 900 24th Ave NE and a portion of the property located at 2323 Jackson St NE from C1 to the R4 District with the Pedestrian Oriented Overlay District to permit a 7-unit townhouse development, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 4/14/06.

Ordinance 2006-Or-032 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 900 24th Ave NE and a portion of the property located at 2323 Jackson St NE to the R4 District with the Pedestrian Oriented Overlay District, was adopted 4/14/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

Ordinance 2006-Or-032
By Schiff
1st & 2nd Readings: 4/14/06

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 1, Block 1, WILSON CENTRAL ADDITION: That part of Lots 16 through 20 which lies north of the south 26.00 feet and west of the east 80.34 feet of said Lots 16 through 20, all in Block 9, Wilson's Rearrangement of Block 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39 and 41 of East Side Addition to City of Minneapolis, according to the recoded plat thereof, Hennepin County, Minnesota. (900 24th Ave NE and a portion of the property located at 2323 Jackson St NE - Plate 10) to the R4 District with the Pedestrian Oriented Overlay District.

Adopted 4/14/06.

MOTIONS

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of May, 2006, be approved and ordered paid subject to audit by the Finance Officer. Seconded. Adopted 4/14/06.

Benson introduced the subject matter of an ordinance amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to *Civil Rights: In General*, which was given its first reading and referred to the Health, Energy & Environment Committee (to conform with state law, to revise language in contract compliance provisions and to modify language regarding disabilities and affectional preference).

Benson introduced the subject matter of an ordinance amending Title 7, Chapter 141 of the Minneapolis Code of Ordinances relating to *Civil Rights: Administration and Enforcement*, which was given its first reading and referred to the Health, Energy & Environment Committee (relating to commission membership attendance requirements, disparate impact complaint procedure, correction of typographical errors, amending "affectional preference" to "sexual orientation" and subpoena power of the Director of Civil Rights).

Benson introduced the subject matter of an ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to *Administration: Ethics in Government*, which was given its first reading and referred to the Health, Energy & Environment Committee (to amend "affectional preference" to "sexual orientation").

Benson introduced the subject matter of an ordinance amending Title 9, Chapter 1172 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Civilian Review Authority*, which was given its first reading and referred to the Health, Energy & Environment Committee (to amend "affectional preference" to "sexual orientation").

Samuels introduced the subject matter of the following ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to *Liquor and Beer*, which were given their first reading and referred to the Public Safety & Regulatory Services Committee (regarding incomplete applications and payment of taxes prerequisite to issuance):

- a. Chapter 360 relating to *In General*
- b. Chapter 362 relating to *Liquor Licenses*
- c. Chapter 363 relating to *Wine Licenses*
- d. Chapter 366 relating to *Beer Licenses*.

Gordon introduced the subject matter of an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, which was given its first reading and referred to the Zoning & Planning Committee (to broaden and expand the allowable and conditional uses of wind turbines).

Johnson introduced the subject matter of an ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to *Administration: Ethics in Government*, which was given its first reading and referred to the Ways & Means/Budget Committee (amending section 15.120(c) by striking the word "appointed").

Colvin Roy introduced the *subject matter* of an ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor & Beer: Wine Licenses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (deleting the 75 seat requirement for live entertainment in establishments with wine licenses and replacing it with a 50 seat requirement).

RESOLUTIONS

Resolution 2006R-213, honoring the DeLaSalle High School Boys' Basketball 2006 Minnesota Class AAA State Champions, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-213

By Johnson, Ostrow, Gordon, Hofstede, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring the DeLaSalle High School Boys' Basketball 2006 Minnesota Class AAA State Champions.

Whereas, DeLaSalle High School of Minneapolis won the Minnesota Class AAA State Championship on March 25, defeating Duluth East in the championship game; and

Whereas, Combined, the Islanders won their three State Tournament games by 62 points, an average margin of victory of not quite 21 points per game; and

Whereas, The 2005-06 team finished with a record of 26-6, were champions of the Tri-Metro Conference with an 11-1 record, and champions of Section 5AAA prior to winning the State Tournament; and

Whereas, The team was led by a group of nine seniors, including four-year starter and Mr. Basketball finalist Cameron Rundles; and

Whereas, the cumulative grade point average of the team is 3.42. More than half of the team earned Honor Roll recognition during the academic year; and

Whereas, All nine seniors have been accepted to colleges. One has received an appointment to West Point; and

Whereas, Head coach Dave Thorson now has a career record of 258 wins and 75 losses. In his 12 years at DeLaSalle, the school has qualified for eight state tournaments, won three titles and finished as runner-up twice; and

Whereas, Going back to 1927, DeLaSalle boys' basketball teams have qualified for 41 state tournaments and won 17 state championships;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis congratulates the DeLaSalle boys' basketball team and coaches for winning the 2006 Class AAA Championship.

Adopted 4/14/06.

Resolution 2006R-214, honoring the DeLaSalle High School Competition Cheer 2006 Minnesota Class AAA State Champions and UPA Nationals and American Championships Champions, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-214

By Johnson, Ostrow, Gordon, Hofstede, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring the DeLaSalle High School Competition Cheer 2006 Minnesota Class AAA State Champions and UPA Nationals and American Championships Champions.

Whereas, DeLaSalle High School of Minneapolis won the 2006 Minnesota Class AAA State Championship in competition cheer on February 4, finishing ahead of Simley, Lakeville South, Totino-Grace and other Class AAA schools in the championship round. It was DeLaSalle's fourth state title in competition cheer; and

Whereas, Competition cheer teams perform routines that incorporate tumbling, lifts, stunts, dance and cheer. Over 175 high schools in Minnesota sponsor competition cheer teams. Though a young sport, competition cheer is one of the fastest-growing activities in the country and in the state; and

Whereas, since 1998, the first year that DeLaSalle sponsored competition cheer team, the Islanders have qualified for nine consecutive state championships and won four (4) state championships; and

Whereas, during the 2006 State Championships in February, four individual Islander cheerleaders were named to the Minnesota "Honor Team of Excellence" which recognizes 12th graders for a combination of cheer excellence and stellar academic performance. Ashley Commodore, Emily Fogg, Donna Hellmann and Seiyono Spiyee were named to the "Honor Team of Excellence."; and

Whereas, the cumulative grade point average of the team is 3.42. More than half of the team earned Honor Roll recognition during the academic year; and

Whereas, The competition cheer team compares as a microcosm of the entire DeLaSalle student body, the most diverse private high school in Minnesota — diversity defined by every possible demographic including socio-economics, race, neighborhood and family background. The 17 members on the team came to DeLaSalle from 12 different grade schools, parochial and public, scattered throughout every neighborhood in Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis congratulates the DeLaSalle competition cheer team and coaches for their outstanding achievements in the 2005-2006 season.

Adopted 4/14/06.

Resolution 2006R-215, honoring Patrick's Cabaret and proclaiming April 21, 2006, Patrick's Cabaret Day in the City of Minneapolis, was adopted 4/14/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-215

By Schiff, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Remington, Benson, Colvin Roy and Hodges

Honoring Patrick's Cabaret.

Whereas, Minneapolis has a tradition of appreciation and affection for the arts, and understands the importance of artistic expression to our urban environment, cultural fabric, community well-being and economic success; and

Whereas, since its conception in 1986, Patrick's Cabaret is a unique, community-oriented performance venue in Minneapolis, providing a space for a diverse range of artists, including artists of color, GLBT/queer-identified artists and those with disabilities; and

Whereas, original works created and first presented at Patrick's Cabaret have gone on to stages on every continent, except Antarctica; and

Whereas, Patrick's Cabaret has had the chutzpah and vision to present internationally acclaimed artists such as Lia Rodriguez from Rio de Janeiro, Isaac Julien of London and Ron Athey of Los Angeles; and

Whereas, Patrick's Cabaret has been a vital part of the Whittier neighborhood, where it was first housed, and then for 10 years in the Phillips neighborhood, and now the Longfellow Community, hosting community meetings, workshops and classes with a focus of community building and encouraging the arts; and

Whereas, the spirit of Patrick's Cabaret has always reflected global struggles for justice, equality, self determination, and the value of community; and

Whereas, to celebrate their 20th anniversary, Patrick's Cabaret is bringing together an all star cast of friends from around town and around the world on April 21st, 22nd, 28th and 29th;

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That we thank the artists who have contributed their talents to our community and proclaim April 21, 2006, Patrick's Cabaret Day in the City of Minneapolis.

Adopted 4/14/06.

ANNOUNCEMENTS

Colvin Roy announced that a presentation would take place at the April 18 T&PW meeting regarding the Non-Motorized Pilot Project. Minneapolis was selected as one of four cities to participate in the program with \$25 million authorized by Congress to test the viability of bicycling and walking as modes of transportation.

Samuels announced that the Mayor will present his State of the City Address on April 18th at the Capri Theatre.

Johnson moved to adjourn to Room 315 City Hall to consider the *City of Minneapolis, et al. v. Metropolitan Airports Commission, et al.* lawsuit. Seconded.

Adopted 4/14/06.

Room 315 City Hall

Minneapolis, Minnesota

April 14, 2006 - 10:48 a.m.

The Council met pursuant to adjournment.

President Johnson in the Chair.

Present - Lilligren, Colvin Roy, Benson, Samuels, Gordon, Hofstede, Ostrow, Johnson.

Absent - Schiff, Glidden, Remington, Goodman, Hodges.

Heffern stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *City of Minneapolis, et al. v. Metropolitan Airports Commission, et al.* lawsuit.

At 10:48 a.m., Ostrow moved that the meeting be closed. Seconded.
Adopted upon a voice vote.
Absent: Goodman.

Present - Schiff (In at 10:49 a.m.; Out at 11:39 a.m.; In at 11:47 a.m.; Out at 12:19 p.m.), Lilligren (Out at 11:35 a.m.; In at 11:38 a.m.), Colvin Roy, Glidden (In at 10:50 a.m.), Remington (In at 10:50 a.m.; Out at 12:19 p.m.), Benson (Out at 11:29 a.m.; In at 11:31 a.m.), Hodges (In at 10:50 a.m.; Out at 11:04 a.m.; In at 11:07 a.m.; Out at 11:53 a.m.; In at 11:56 a.m.), Samuels (Out at 11:35 a.m.; In at 11:38 a.m.), Gordon (Out at 12:08 p.m.; In at 12:10 p.m.), Hofstede (Out at 11:29 a.m.; In at 11:37 a.m.), Ostrow, Johnson (Out at 12:04 p.m.; In at 12:07 p.m.).

Absent - Goodman.

Also Present - Jay Heffern, City Attorney; Peter Ginder, Assistant City Attorney; Corey Conover, Assistant City Attorney; Mayor RT Rybak (Out at 11:53 a.m.); John Putnam, Attorney with Kaplan Kirsch & Rockwell LLP; Stephen H. Kaplan, Attorney with Kaplan Kirsch & Rockwell LLP; Merland Otto, CPED Planning Department; Tina Smith, Mayor's Office (Out at 10:51 a.m.; In at 11:00 a.m.; Out at 11:35 a.m.); Anne Roth, City Clerk's Office; and Merry Keefe, City Clerk (Out at 11:12 a.m.).

Ginder, Heffern, and Otto summarized the *City of Minneapolis, et al. v. Metropolitan Airports Commission, et al.* lawsuit from 10:53 a.m. to 11:38 a.m.

At 12:20 p.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.
Absent: Goodman.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn. Seconded.
Adopted by unanimous consent 4/14/06.
Absent - Schiff, Remington, Goodman.

Merry Keefe,
City Clerk.

Unofficial Posting: 4/17/2006
Official Posting: 4/21/2006
Corrections: 4/24/2006; 6/21/2006; 7/12/2006